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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,520	12/08/2003	Tariq A. Hassan	UTL 00420	3029

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EXAMINER	
LEE, JOHN J	
ART UNIT	PAPER NUMBER
2618	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/730,520	HASSAN ET AL.	
	Examiner	Art Unit	
	JOHN J. LEE	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 October 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *5/18/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. **Claims 1 – 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Long et al. (US 6,714,795) in view of Rosen et al. (US 2002/0173326).

Regarding **claim 1**, Long teaches that a method for initializing a push-to-talk call over a wireless communication network (column 1, lines 13 – 64 and Fig. 1). Long teaches that receiving a push-to-talk initialization request in an initiating wireless communication device (118 in Fig. 1) (abstract, Fig. 1, 2, and column 4, lines 20 – column 5, lines 26, where teaches the dispatch call (push-to-talk call), push the button/key for requesting in an initiating dispatch call, is placed by sending a request message from a personal station to control center station). Long teaches that sending a call message from the initiating wireless communication device to a uniquely identified recipient (transmitting call request message from personal wireless station to a control center station see abstract, Fig. 1, 2, and column 4, lines 20 – column 5, lines 26), wherein the call message is sent in a first control channel over the wireless communication network (abstract, Fig. 1, 2, and column 4, lines 20 – column 5, lines 26, where teaches the dispatch call (push-to-talk call), push the button/key for requesting in an initiating dispatch call, is placed by sending a request message from a personal station

to control center station and the personal station sends a call setup message over the uplink control channel). Long teaches that receiving a connection status message (call connection message) in the initiating wireless communication device, in response to the call message, wherein the connection status message is received in a second control channel over the wireless communication network (abstract, Fig. 1, 2, and column 5, lines 27 – column 6, lines 51, where teaches the dispatch call (push-to-talk call), push the button/key for requesting in an initiating dispatch call, is placed by sending a request message from a personal station to control center station and the personal station sends a call setup message over the uplink control channel, and receiving the call connection message in the wireless personal station in response to the call message, and the call connection message over a downlink control channel). Long teaches that opening an audio channel on the initiating wireless communication device responsive to the connection status message (abstract, Fig. 1, 2, and column 4, lines 20 – column 5, lines 26, where teaches establishing the dispatch call connection for push-to-talk with voice channel on the personal station as the call connection message received). Long teaches that activating a microphone (permit to start the dispatch call in wireless personal station) on the initiating wireless communication device responsive to the connection status message (abstract, Fig. 1, 2, and column 4, lines 20 – column 5, lines 26, where teaches establishing the dispatch call connection for push-to-talk call (dispatch call) with voice channel on the personal station (permit to start for push-to-talk) as the call connection message received). Long teaches that receiving audio via the activated microphone (abstract, Fig. 1, 2, and column 4, lines 20 – column 5, lines 26, where teaches as the

establishing the session for dispatch call responsive to the call connection message, receiving the audio channel through the microphone (inherently, wireless telephone has the microphone)). Long does not specifically disclose the limitation "storing the received audio in a buffer on the initiating wireless communication device". However, Rosen teaches the limitation "storing the received audio in a buffer on the initiating wireless communication device" (pages 3, paragraphs 35 – 40 and Fig. 2, where teaches relating types (user name, account number, telephone number, dial number associated with the member's communication device, assigning mobile ID number, status information) of information may also be stored by the database with respect to each member). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Long system as taught by Rosen, provide the motivation to achieve efficient push-to-talk communication in order to reduce latency of push-to-talk communication devices.

Regarding **claims 2 and 8**, Long teaches that the wireless communication network is a code division multiple access network (column 11, lines 49 – column 12, lines 9).

Regarding **claims 3 and 9**, Long teaches that the first control channel is a reverse enhanced access channel (column 3, lines 31 – 63 and Fig. 1, where teaches first channel is used for resource access control between control station and personal station).

Regarding **claims 4 and 10**, Long teaches that the second control channel is a forward common control channel (column 3, lines 64 – column 4, lines 39 and Fig. 1, where teaches second control channel is a common control channel).

Regarding **claims 5 and 11**, Long and Rosen teach all the limitation as discussed in claim 1.

Regarding **claim 6**, Long does not specifically disclose the limitation "receiving a channel assignment message corresponding to the push-to-talk request, the channel assignment message identifying a traffic channel, and sending the stored audio over the traffic channel". However, Rosen teaches the limitation "receiving a channel assignment message corresponding to the push-to-talk request, the channel assignment message identifying a traffic channel, and sending the stored audio over the traffic channel" (pages 7, paragraphs 89 – 98 and Fig. 4, 6, where teaches receiving a channel assigning message, traffic channel, responsive to request by communication device, and transmitting the audio over the traffic channel). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Long system as taught by Rosen, provide the motivation to achieve efficient push-to-talk communication in order to achieve minimize latency of push-to-talk communication devices.

Regarding **claim 7**, Long and Rosen teach all the limitation as discussed in claims 1 and 6.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gulliford et al. (US 5,699,954) discloses Audio Routing Within Trunked Radio Frequency Multisite Switch.

Information regarding...Patent Application Information Retrieval (PAIR) system... at 866-217-9197 (toll-free)."

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
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Or P.O. Box 1450
Alexandria VA 22313

or faxed (571) 273-8300, (for formal communications intended for entry)

Or: (703) 308-6606 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to USPTO Headquarters, Alexandria, VA.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John J. Lee** whose telephone number is **(571) 272-7880**. He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Edward Urban**, can be reached on **(571) 272-7899**. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J.L
December 20, 2006

John J Lee

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SUPERVISORY PATENT EXAMINER
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